

NON - FEDERAL AGENCY POLLUTION REMOVAL FUNDING AUTHORIZATION

Recipient Agency: City of Los Angeles, Department of Public Works, Bureau of Sanitation

Address: 1149 South Broadway, 9th Floor
Los Angeles, CA 90015

1. Purpose.

This document authorizes reimbursement to the Recipient Agency from the Oil Spill Liability Trust Fund or CERCLA funds for certain removal costs incurred in response to the following pollution incident, Dominguez Channel Mystery Spill, Federal Project Number/CERCLA Project Number, E11904. This funding authorization is expressly contingent on the Recipient's compliance with all requirements contained herein.

2. Approved Functions and Reimbursement Limit.

Costs will be reimbursed only for actions that are directed or approved in advance by the Federal On-Scene Coordinator (FOSC). Approval may be verbal or written. Assessment, restoration, rehabilitation or replacement of natural resources damaged by the spill are not covered.

Maximum limit of authorization: \$500,000

3. Conditions.

See attached page(s) for scope of work, special conditions, date of performance, directions or approvals.

4. Period of Authorization.

This authorization shall remain in effect until the completion date specified by the FOSC (which normally corresponds to the date of final removal activities). The PRFA is to expire on January 20, 2011.

5. Reimbursement Procedure.

Upon completion of removal activities, the Recipient Agency will submit a SF-1080/1081 to the FOSC with detailed records of expenditures and activities for which reimbursement is sought. The agency may elect to use its own records providing an equivalent amount of documentation which has NPFC approval, or the agency may elect to use NPFC's Resource Cost Documentation package. The agency must submit the final request for reimbursement, supported by the required documentation, within 90 days following the completion date. If OMB Circular A-87 cost rates apply, cost certifications must be included. If at the end of the 90 days from final removal activities, there are any costs for which reimbursement has not been requested, written notice will be sent to the agency and 30 days later any balance remaining in the account will be deobligated.

6. Hold Harmless and Indemnify.

By performing any action or seeking any reimbursement under this funding authorization, the Recipient Agency agrees that the United States of America and all of its departments and agencies, including, but not limited to, the U.S. Coast Guard and the Oil Spill Liability Trust Funds ("United States"), shall not be liable to any party for damage, injury or loss to persons or property resulting from the acts or omissions of Recipient Agency, its employees, agents or contractors, related to the Recipient Agency's performance of this Agreement. The Recipient Agency agrees to indemnify and hold harmless the United States from all actions, claims or suits for damage, injury or loss to persons or property resulting from the acts or omissions of Recipient Agency, its employees, agents or contractors related to Recipient Agency's performance of this Agreement. This agreement to hold harmless and indemnify the United States is subject to the availability of Recipient Agency funds. The Recipient agrees in good faith to use available Agency funds and to undertake all reasonable effort to acquire such funds if not otherwise available.

7. No Agency.

Nothing in this funding authorization is intended to create an agency relationship between the Recipient Agency and the United States of America (or any of its departments, agencies, or employees). Nor shall anything in this funding authorization be construed as creating an agency relationship. By performing any action or seeking any reimbursement under this funding authorization, the Recipient Agency agrees that it has not been authorized to act as an agent of the United States, and shall not act in any such capacity.

6. Accounting Data.

Document Control Number: DD/11/46/1/V/XZ/YYYY
Accounting String: 2/V/SZ/172/95/0/E11904/74100/XXXX

7. Points of Contact.

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| A. <u>Mr. Martin Powell</u>
FOSC | Telephone: (562) 760-7028
FAX: (562) 733-0694
E-mail: powell.martin@epa.gov |
| B. Adel Hagekhalil, Assistant Director
Recipient Agency Representation | Telephone: (213) 485-2210
FAX: (213) 485-2979
E-mail: adel.hagekhalil@lacity.org |
| C.
NPFC Case Officer | Telephone: (202) 493-6731
FAX: (202) 493-6896
E-mail: Richard.r.boes@uscg.mil |

8. Authorizing Official.

Signature: 
Title: Federal On-Scene Coordinator

Date: 12/21/2010

Attachments:

(1) Scope of Work

RESPONSE TASK LIST

The task list below addresses the specific response tasks that are ordered through PRFA's (Pollution Removal Funding Authorization) in support of FOSC's/OSC's. When modification or amendment to this PRFA is required, a "Amendment to Pollution Removal Funding Authorization" shall be used and a new task list shall be assigned if new tasking is identified.

The recipient agency of the PRFA shall perform the following (as identified by the appropriate check marks below):

1. Collect facts regarding the discharge of oil, to include its source and cause;
2. Identify potentially responsible parties (RP's);
3. Analyze the nature, amount, and location of discharged materials;
4. Analyze the probable direction and time of travel of discharged materials;
5. Provide appropriate personnel, equipment, and supplies to contain and stabilize discharges of oil discharged to waterways or soil which are either threatening to or are actually impacting public health, welfare, and/or the environment;
6. Document all site specific costs incurred by the contractor and the recipient agency for the response actions;
7. Identify active or historical facility processes or operations that may have contributed to the discharge of oil;
8. Develop and implement options to abate, prevent, minimize, stabilize, mitigate, eliminate or remove the threat of a release of oil to public health or welfare or the environment;
9. Develop site specific Health and Safety Plans (HSP's);
10. Observe and document state and private actions taken to conduct a response action;
11. Review, prepare, and submit all required accounting/accounting records in accordance with the National Pollution Funds Center (NPFC) Instruction 16451, "Technical Operating Procedures for Resource Documentation under the Oil Pollution Act (OPA) of 1990";
12. Provide daily progress reports and/or consultations to the OSC/FOSC, as necessary;
13. Analyze Responsible Party (RP) response documents and actions and recommend appropriate revisions;
14. Document (RP) activities and provide over-sight;
15. Conduct waste profile analysis;
16. Conduct a video assessment of the underground storm drain from which the spill has originated.